

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

NIKKI BOLLINGER GRAE, Individually and)	Civil Action No. 3:16-cv-02267
on Behalf of All Others Similarly Situated,)	
Plaintiff,)	Honorable Aleta A. Trauger
vs.)	
CORRECTIONS CORPORATION OF)	
AMERICA, et al.,)	
Defendants.)	
_____)	

JOINT INITIAL CASE MANAGEMENT STATEMENT AND SUGGESTION TO
RESCHEDULE INITIAL CASE MANAGEMENT CONFERENCE

Lead Plaintiff Amalgamated Bank and Defendants submit this joint initial case management statement and suggestion to postpone the Initial Case Management Conference (“CMC”) set for February 6, 2017 per the Court’s Order (Doc. No.53). The parties respectfully submit that a CMC may not be necessary at this time, in light of the procedural posture outlined below, but remain available to appear on February 6, 2017 if the Court prefers to proceed with the CMC as scheduled.

I. PROCEDURAL BACKGROUND

This putative class action is brought on behalf of purchasers or acquirers of Corrections Corporation of America (the “Company”) securities between February 27, 2012 and August 17, 2016 (the “Class Period”) against the Company and three of its senior executive officers for alleged violations of the Securities Exchange Act of 1934 (“1934 Act”).

The initial plaintiff in this action, Nikki Bollinger Grae, and Defendants agreed to and submitted a Stipulation and Order Regarding Response and Briefing Schedule. The Court entered that stipulation as an order (the “Briefing Schedule Order”) on September 20, 2016. Dkt. No. 21.

On October 5, 2016, the Court entered an Order Continuing Initial Case Management Conference. Dkt. No. 29. The Court ordered that “the initial case management conference currently scheduled for 1:00 p.m. on November 9, 2016 is CONTINUED, to be reset, if appropriate, following appointment of a Lead Plaintiff in this action and a decision on motions to dismiss the Lead Plaintiff’s Consolidated Amended Complaint.”

On January 10, 2017, the Court issued an Order appointing Amalgamated Bank as Lead Plaintiff and appointing Robbins Geller Rudman & Dowd LLP as Lead Counsel. Dkt. No. 52.

Pursuant to the Briefing Schedule Order and Federal Rule of Civil Procedure 6, Lead Plaintiff is to file its consolidated complaint, and the parties are to brief any motion to dismiss that complaint, pursuant to the following schedule:

Lead Plaintiff to file consolidated complaint by March 13, 2017;

Defendants to respond to consolidated complaint within 60 days of the consolidated complaint;

Lead Plaintiff to file opposition to any motion to dismiss within 45 days of the filing of the motion to dismiss; and

Defendants to file reply in support of any motion to dismiss within 30 days of the filing of the opposition.

On January 10, 2017, the Court also entered an order resetting the initial case management conference for February 6, 2017 at 2:15 p.m. Dkt. No. 53.

II. STATEMENT OF THE PARTIES

As noted above, the Court previously entered an Order continuing the CMC, in part, due to the automatic stay in the Private Securities Litigation Reform Act of 1995 (“PSLRA”). Dkt. No. 29. That order provided that the CMC would be reset following not only appointment of a Lead Plaintiff but also following “a decision on motions to dismiss the Lead Plaintiff’s Consolidated Amended Complaint.” In addition, pursuant to 15 U.S.C. §78j-4(b)(3)(B) of the PSLRA, all discovery is stayed through the pendency of the motion to dismiss.

Because a consolidated complaint has not yet been filed and any motion to dismiss that complaint has not been resolved and therefore discovery is stayed, the parties respectfully suggest that a CMC may not be necessary at this time. If, however, the Court believes a case management conference would be beneficial, then the parties will readily make themselves available to the Court and appear at the CMC on February 6, 2017.

DATED: January 26, 2017

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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2017, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 26, 2017.

s/ Jerry E. Martin
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